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RUEHKO/AMEMBASSY TOKYO 3072
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SUBJECT: Inaugural Meeting of the Friends of the ECCC

[11](#). (SBU) Summary: On June 12, the Japanese and French Ambassadors co-chaired the inaugural Friends of the Extraordinary Chambers in the Courts of Cambodia (ECCC) meeting. Donors agreed that the Friends group would serve to disseminate information on the ECCC's progress, provide non-judicial advice to the ECCC, and seek ways to use the ECCC to strengthen and reform the Cambodian judiciary. The swearing-in ceremony for all court officials will be July 3; all are expected to attend. A strategy and planning session will follow from July 5-8; July 10 is the first official workday for the ECCC. Donors discussed the utility of separate, restricted meetings of major donors at the Ambassadorial level; the Charge urged a more inclusiveness and USG interest in attending such meetings. End Summary.

General Agreement of Friends Role

[12](#). (U) Several proposals for the role and responsibilities of the Friends group were laid out jointly by the French and Japanese embassies:

- Non-judicial advisory role only
- No formal institutional structure
- Confidential (no official records nor joint public statements)
- Inter-governmental (no IOs or NGOs)
- Respect the independence of the Extraordinary Chambers
- Respect the prerogative of the Office of Administration
- Meetings by Ambassadors of main donor countries may be held, when necessary
- Semi-regular meetings for diplomatic missions, in principle, at the Counselor-Secretary level, roughly every second month on the last Thursday.

Office of Administration Developments

[13](#). (U) Sean Vissoth, Director of the Office of Administration (OA), briefed donors on the general progress of the ECCC, institutional and personnel matters, financial matters, court management, and outreach. On July 3, after the swearing-in

ceremony, there will be a strategy and planning session from July 5-8 for the judges and prosecutors. The ECCC will begin its work on July 10. The RGC still lacks USD 4.6 million for the Cambodian side of the budget and Vissoth asked donor countries for further assistance. He assured donor countries that the UNDP will thoroughly monitor contributions through the establishment of a trust fund; transfer of donor money from the old UN Trust Funds will flow through the UNDP mechanism. On outreach, the ECCC (with Australian assistance) has printed information booklets regarding the KRT, which are available in Khmer and English. The ECCC is planning a more comprehensive outreach campaign involving posters, TV ads, and other media to educate the public.

¶4. (U) Michelle Lee, the Deputy Director of the Office of Administration, updated donors on staffing levels for the ECCC. Livingston Armitage, ECCC legal advisor, explained that the strategy and planning sessions from July 5-8 will be a forum for discussing court procedures, ethics, internal rules and regulations, and international protocols.

Donor Country Concerns

¶5. (U) The Charge questioned the necessity of "meetings of Ambassadors of main donor countries" and whether it was only restricted to these countries. The Japanese Ambassador responded that there were specific issues pertinent only to those countries. Also, Japan and France will consider other non-main donor countries on a case-by-case basis. The Charge expressed the USG's interest in participating in these meetings, and noted the USG contribution of an additional USD 2 million to DC-CAM. The German Ambassador requested that such meetings be inclusive, rather than exclusive.

¶6. (U) The German Ambassador suggested that the USD 4.6 million

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deficit be supplemented by the RGC. He noted that while additional financial contributions might be difficult, some countries have indicated a willingness to consider in-kind contributions. Vissoth responded that he would discuss the suggestion. The Australian Ambassador inquired about the fence that was to be built between the court and military compound. Vissoth replied that due to the rainy season, there had been a setback, and that the fence should be completed by the July 21. Vissoth assured donors that all the judges have accepted the appointments and will be present at the July 3 ceremony.

¶7. (U) The Australian Ambassador requested that, for public relations purposes, donor contributions from the old UN Trust Funds should be publicized by the UN in New York and Cambodia. Michelle Lee replied that there were donor statements and official signings by the UNDP and RGC for the transfer of some of the trust fund money, but publication of individual country contributions has not been done yet. The Australian Ambassador also asked if the ECCC were considering the psychological effect of the trials on the Cambodian population. Helen Jarvis answered that the ECCC plans to provide assistance to witnesses, and is looking into what can be provided as part of the ECCC's outreach efforts, but there is only so much the ECCC can do in this regard. She noted that virtually every Cambodian family has been traumatized in some way by the Khmer Rouge period.

¶8. (SBU) The French Ambassador suggested that the next Friends of the ECCC meeting be held in July, rather than August. He anticipates that the July 3 swearing-in ceremony and follow-on strategy and planning sessions will be of interest to donors, and offered to host the next meeting at the French Embassy. Canada asked about inclusion of the non-resident Embassies based in Bangkok; Japan noted they had been invited to the June 12 meeting and their mission in Bangkok would brief those Embassies on the Friends discussions.

Comment

¶9. (SBU) The suggestion regarding a selective grouping of

Ambassadors from major donor countries came at the initiative of the French and Australian Embassies, according to the Japanese Embassy. We and the Germans pushed back on the non-inclusiveness, but did not press the issue. This is not a new proposal; the French have tried this before. The Japanese were to have taken on the role as sole chair of the Friends of the ECCC; the idea of co-chairing the Friends was Sok An's. According to the Japanese, Sok An is unhappy with Japanese unwillingness to side with the RGC against Michelle Lee and the UN side of the OA, and is hoping that the French will be more supportive. End Comment.

MUSSOMELI